

COMMISSIONERS ORDINANCE NO. 0-21-19

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS
OF THE CITY OF NEWPORT, KENTUCKY CLOSING
AND VACATING PART OF AN UNNAMED ALLEY IN
THE CITY OF NEWPORT, CAMPBELL COUNTY,
KENTUCKY.**

**WHEREAS, pursuant to KRS 82.405 the City of Newport has
determined to close part of an Unnamed Alley as described in
Section I hereof; and,**

**WHEREAS, pursuant to KRS 82.405 the City of Newport has
identified all property owners in or abutting the portion of the public
way to be closed; and,**

**WHEREAS, pursuant to KRS 82.405 the City of Newport has
provided written notice of the proposed closings to all property
owners identified as in or abutting the portion of the public way to be
closed; and,**

**WHEREAS, pursuant to KRS 82.405 the City of Newport has
received written notarized consent to the proposed closing from all
property owners in or abutting the portion of the public way to be
closed and have attached the consent to vacate notification hereto as
Exhibit "A".**

BE IT ORDAINED BY THE CITY OF NEWPORT, KENTUCKY:

SECTION I

**That part of an Unnamed Alley is hereby closed and vacated without
any further action, said portion of the public way to be closed and
vacated being more specifically described as follows:**

PART OF AN UNNAMED ALLEY

**GROUP NOS. 41072/A1 – P.I.D.N. 999-99-05-461.00
41072/A3 – P.I.D.N. 999-99-02-560.00**

**Parts of an unnamed alley situated in the City of Newport,
Campbell County, Kentucky as shown in the plats of record in**

slide A-38/B in the Campbell County Clerk's office at Newport, Kentucky, and more fully described as follows:

Lying in the City of Newport, Kentucky and being more particularly described as follows:

Beginning at the northwest corner of Lot numbered 78 of the Overlook Heights Subdivision in the City of Newport, Kentucky; thence in an easterly direction along the northerly boundary lines of lots numbered 78 and 79 of the Overlook Heights Subdivision 95 feet to the northeast corner of said lot numbered 79; thence in a northerly direction 15 feet, more or less, across the unnamed alley to a point in the boundary line of lot numbered 88 of the Overlook Heights Subdivision that is directly across from the northeast corner of lot numbered 79 as if the easterly line of lot 79 was extended in a straight line to the boundary line of lot numbered 88; thence in a westerly direction along the southerly line boundary lines of lots numbered 88, 89, 90 and 91 of the Overlook Heights Subdivision to the northwest corner of said lot numbered 91; thence in a southerly direction along the easterly line of Observation Avenue 15 feet, more or less, across the unnamed alley to the place of beginning.

Attached hereto as Exhibit "B" is a copy of a plat showing the portion of the Unnamed Alley to be vacated.

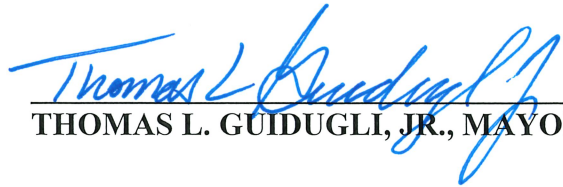
There is excepted from the provisions of this Ordinance any public utilities running through the dedicated portion of said Unnamed Alley being vacated by this Ordinance for which the City retains an easement.

SECTION II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading: *October 18, 2021*

PASSED: Second reading: *November 15, 2021*


THOMAS L. GUIDUGLI, JR., MAYOR

ATTEST:


JANIE PATTERSON, CITY CLERK

PUBLISHED:

EXHIBIT "A"

CONSENT AND RECEIPT OF NOTICE

Comes now Rebecca Hackett, also known as Rebecca C. Hackett, a single person, and after being duly cautioned and sworn, deposes and states as follows:

1. That she is the fee simple title holder of the real properties which abut a portion of the unnamed alley in the City of Newport, Kentucky described in paragraph 2 below.
2. That she acknowledges receipt of a written notice from the City of Newport stating the City's intent to vacate and close the following described public way located in the City of Newport, Kentucky adjacent to the properties owned by her which is to be vacated and closed and are more particularly described as follows:

PART OF AN UNNAMED ALLEY

GROUP NOS. 41072/A1 – P.I.D.N. 999-99-05-461.00
41072/A3 – P.I.D.N. 999-99-02-560.00

Parts of an unnamed alley situated in the City of Newport, Campbell County, Kentucky as shown in the plats of record in slide A-38/B in the Campbell County Clerk's office at Newport, Kentucky, and more fully described as follows:

Lying in the City of Newport, Kentucky and being more particularly described as follows:

Beginning at the northwest corner of Lot numbered 78 of the Overlook Heights Subdivision in the City of Newport, Kentucky; thence in an easterly direction along the northerly boundary lines of lots numbered 78 and 79 of the Overlook Heights Subdivision 95 feet to the northeast corner of said lot numbered 79; thence in a

northerly direction 15 feet, more or less, across the unnamed alley to a point in the boundary line of lot numbered 88 of the Overlook Heights Subdivision that is directly across from the northeast corner of lot numbered 79 as if the easterly line of lot 79 was extended in a straight line to the boundary line of lot numbered 88; thence in a westerly direction along the southerly line boundary lines of lots numbered 88, 89, 90 and 91 of the Overlook Heights Subdivision to the northwest corner of said lot numbered 91; thence in a southerly direction along the easterly line of Observation Avenue 15 feet, more or less, across the unnamed alley to the place of beginning.

Attached hereto as Exhibit "B" is a copy of a plat showing the portion of the unnamed alley to be vacated.

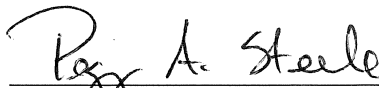
3. This Consent and Acknowledgment of Receipt of Notice is given pursuant to K.R.S. 82.405(2)(b) and (c).

Further Affiants sayeth naught.


Rebecca Hackett, a/k/a Rebecca C. Hackett

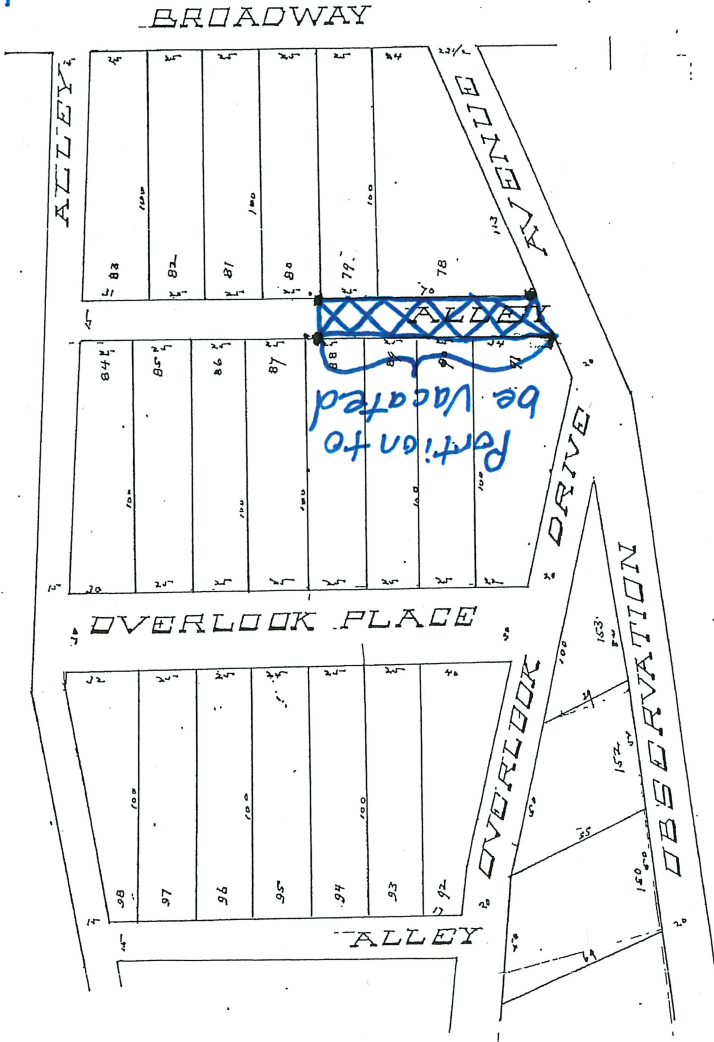
STATE OF KENTUCKY
COUNTY OF CAMPBELL

This Consent and Receipt of Notice was acknowledged, subscribed and sworn to before me by Rebecca Hackett, a/k/a Rebecca C. Hackett, this 28 day of September 2024, 2021.


Notary Public
KY State At Large
My Commission Expires: 8/19/2025
KYNP 35299

Slide "A/38B"

Exhibit "B"



OVERLOOK HEIGHTS SUBD